

Court of Appeals, State of Michigan

ORDER

People of MI v Johnny Wayne Davis

Docket No. 353689

LC No. 15-006182-03-FC

Thomas C. Cameron
Presiding Judge

Karen M. Fort Hood

Michael J. Riordan
Judges

The motion to waive fees is GRANTED for this case only.

The application for leave to appeal is GRANTED, limited to the issues raised in the application. MCR 7.205(E)(4). The time for taking further steps in this appeal runs from the date of the Clerk's certification of this order. MCR 7.205(E)(3). Because the prosecutor failed to file an answer to the application for leave to appeal, the prosecutor must file an appellee's brief in reply to appellant's brief, either within 56 days of the Clerk's certification of this order as directed in MCR 6.509(D), or within the time stated in MCR 7.212(A)(2)(a), whichever is later.

On its own motion, the Court REMANDS the matter to the trial court for appointment of appellate counsel to represent defendant in this appeal. MCR 6.505(A). This Court retains jurisdiction.

The motion to remand is is DENIED for failure to persuade the Court of the necessity of a remand at this time. Denial of remand is without prejudice to a case call panel of this Court determining that remand is necessary once the case is submitted on a session calendar.

The motion for a new trial is DENIED.



Presiding Judge



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

September 8, 2020

Date



Chief Clerk